

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
BUFFALO DIVISION

Swissdigital USA Co., Ltd.,

JURY TRIAL DEMANDED

Plaintiff,

v.

Case No.: 1:20-cv-870-LJV

Avon Lifestyle Pvt. Ltd. and

Naina Parekh,

Defendants.

DECLARATION IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT

I, Dariush Keyhani, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am over twenty-one years of age and have personal knowledge of the facts or access to information and/or records allowing me to confirm these facts. I am familiar with the file, records, and pleadings in this matter.
2. I am a member of the law firm Keyhani LLC and represent Plaintiff Swissdigital USA Co., Ltd. (“Swissdigital” or “Plaintiff”).
3. I submit this declaration in support of Plaintiff’s Request for Entry of Default.
4. Plaintiff filed its original Complaint (ECF No. 1) on July 10, 2020.
5. To date, Defendants Avon Lifestyle Pvt. Ltd. and Naina Parekh (collectively, “Defendants”) have failed to appear, plead, or otherwise defend.

6. On April 3, 2023, the Court ordered the Clerk of Court to enter a default against Defendants and permitted Swissdigital to move for a default judgment. ECF No. 9. The Clerk of Court entered a default against Defendants the following day. ECF No. 10.

7. Plaintiff moved for default judgment on May 9, 2023. ECF No. 11. The Court denied Swissdigital's motion without prejudice and allowed Swissdigital to amend its complaint and move for a default judgment a second time. ECF No. 15.

8. Plaintiff filed its Amended Complaint on September 12, 2024. ECF No. 17. The Amended Complaint was served on Defendants on September 12, 2024. ECF No. 17-3.

9. Pursuant to Federal Rule of Civil Procedure 12(a), Defendants were required to answer the Amended Complaint by October 3, 2024. No such answer was made.

10. Defendants have failed to appear, plead, or otherwise defend within the time allowed and, therefore, are now in default.

11. Plaintiff requests that the Clerk of the Court enter default against the Defendants.

Dated: June 2, 2025

Respectfully submitted,

/s/ Dariush Keyhani
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